

PCT:140

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BUTLER

7-11-03

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## APPEAL

PTO/SB/61 (08-01)

Approved for use through 10/31/2002. OMB 0651-0091  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>CEIP0037USA</b>							
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on _____.</p> <p>Signature _____</p> <p>Typed or printed name _____</p>		<p>In re Application of _____</p> <table border="1"> <tr> <td>Application Number <b>09/683,729</b></td> <td>Filed <b>2002/2/17</b></td> </tr> <tr> <td colspan="2">For _____</td> </tr> <tr> <td>Group Art Unit <b>2672</b></td> <td>Examiner <b>Luu, Matthew</b></td> </tr> </table>		Application Number <b>09/683,729</b>	Filed <b>2002/2/17</b>	For _____		Group Art Unit <b>2672</b>	Examiner <b>Luu, Matthew</b>
Application Number <b>09/683,729</b>	Filed <b>2002/2/17</b>								
For _____									
Group Art Unit <b>2672</b>	Examiner <b>Luu, Matthew</b>								
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) <b>\$ 320.00</b></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <b>\$ _____</b>.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No: <b>50-080</b>. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.138(a) (PTO/SB/22) is enclosed.</p>									
<p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <p>I am the _____</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record.</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(e). Registration number if acting under 37 CFR 1.34(e) _____</p>									
<p><i>Winston Hsu</i> Signature</p> <p><i>Winston Hsu</i> Typed or printed name</p> <p><i>7/11/2003</i> Date</p>									
<p><b>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</b></p> <p><input type="checkbox"/> Total of _____ forms are submitted.</p>									

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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07/28/2003 V BUTLER 00000002 508881 09683729  
August 2001

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**NORTH AMERICA  
INTERNATIONAL PATENT OFFICE**

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**FAX TO : LUU,MATTEW      ART UNIT: 2672**

**Tel : (703) 305-4850  
Fax: (703) 872-9314**

**FROM : Winston Hsu, PATENT AGENT, REG. NO. : 41,526**

**SUBJECT: SERIAL NO. :09/683,729**

**NOTICE OF APPEAL**

**TOTAL PAGES : 4 PAGES (INCLUDING COVER PAGE)**

**The hardcopy of this response will be sent to USPTO by Federal Express  
right away.**

**Winston Hsu 2003/7/11**

RECEIVED

PTO/88/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission **3**Application Number **09/683,729**Filing Date **02/07/2002**First Named Inventor **Wen-Sung Tsai**Group Art Unit **2672**Examiner Name **LUU, MATTHEW**Attorney Docket Number **CEIP0037USA****ENCLOSURES (check all that apply)**

Fee Transmittal Form  
 Fee Attached  
 Amendment / Reply  
 After Final  
 Affidavit/declaration(s)  
 Extension of Time Request  
 Express Abandonment Request  
 Information Disclosure Statement  
 Certified Copy of Priority Document(s)  
 Response to Missing Parts/ Incomplete Application  
 Response to Missing Parts under 37 CFR 1.52 or 1.63

Assignment Papers (for an Application)  
 Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation  
 Change of Correspondence Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s) \_\_\_\_\_

Alter Allowance Communication to Group  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  
 Proprietary Information  
 Status Letter  
 Other Enclosure(s) (please identify below):

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual name

Winston Hsu

Signature

Date

7/11/2003

**CERTIFICATE OF MAILING**

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Typed or printed name

Signature

Date

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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. GMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 320.00)

Complete if Known

Application Number	09/683,729
Filing Date	2002/2/7
First Named Inventor	Wen-Sung Tsai
Examiner Name	2672
Art Unit	LUU, MATTHEW
Attorney Docket No.	CEIP0037USA

## METHOD OF PAYMENT (check off that apply)

 Check  Credit card  Money Order  Other  None Deposit Account:

Deposit Account Number 50-0801  
Deposit Account Name North America International Patent Office

The Commissioner is authorized to: (check off that apply)  
 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 760	2001 375	Utility filing fee			
1002 330	2002 185	Design filing fee			
1003 520	2003 280	Plant filing fee			
1004 750	2004 375	Reissue filing fee			
1005 180	2005 80	Provisional filing fee			
<b>SUBTOTAL (1) (\$ 0.00)</b>					

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
		-20" =		
		- 5" =		
				<b>0.00</b>

Large Entity	Small Entity	Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20		
1201 84	2201 42	Independent claims in excess of 3		
1203 280	2203 140	Multiple dependent claim, if not paid		
1204 84	2204 42	** Reissue independent claims over original patent		
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent		
<b>SUBTOTAL (2) (\$ 0.00)</b>				

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1061 130	2061 65	Surcharge - late filing fee or oath			
1062 60	2062 25	Surcharge - late provisional filing fee or cover sheet			
1063 130	2063 130	Non-English specification			
1812 2,520	1812 2,620	For filing a request for ex parte reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1806 1,840*	1806 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 55	Extension for reply within first month			
1252 410	2252 205	Extension for reply within second month			
1253 930	2253 465	Extension for reply within third month			
1264 1,480	2264 728	Extension for reply within fourth month			
1265 1,970	2265 985	Extension for reply within fifth month			
1401 320	2401 180	Notice of Appeal			<b>320.00</b>
1402 320	2402 180	Filing a brief in support of an appeal			
1403 280	2403 140	Request for oral hearing			
1461 1,610	1461 1,510	Petition to institute a public use proceeding			
1462 110	2452 65	Petition to revive - unallowable			
1463 1,800	2453 660	Petition to revive - unintentional			
1501 1,300	2501 650	Utility issue fee (or reissue)			
1502 470	2502 235	Design issue fee			
1503 830	2503 318	Plant issue fee			
1460 130	1460 130	Petitions to the Commissioner			
1807 60	1807 60	Processing fee under 37 CFR 1.17(q)			
1808 180	1808 180	Submission of Information Disclosure Stmt			
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 760	2809 376	Filing a submission after final rejection (37 CFR 1.128(a))			
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.128(b))			
1801 750	2801 378	Request for Continued Examination (RCE)			
1802 800	1802 800	Request for expedited examination of a design application			
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid				<b>SUBTOTAL (3) (\$ 320.00)</b>	

(Complete if applicable)

Name (Print/Type)	Winston Heu	Registration No. (Attorney/Agent)	41,626	Telephone 666288237350
Signature	<i>Winston Heu</i>		Date	21/11/2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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